

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SALARIES AND EXPENSES, HOUSING AND URBAN DEVELOPMENT

BUDGET ACTIVITY 14: DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

SCOPE OF ACTIVITY

The Office of Departmental Equal Employment Opportunity (ODEEO) was established in 2003 as an independent office in the Office of the Secretary. The ODEEO is responsible for ensuring the enforcement of Federal laws relating to the elimination of all forms of discrimination in the Department's employment practices. The applicable laws include Title VII of the Civil Rights Act of 1964 (as amended), the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Equal Pay Act, and the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002. In addition, activities of the ODEEO are subject to Executive Order 11478, regulations promulgated by the U.S. Equal Employment Opportunity Commission (EEOC) at 29 CFR §1614, EEOC Management Directives MD-110 and MD-714, and Departmental regulations promulgated at 24 CFR Part 7. The Office has nationwide responsibility for the Department's Equal Employment Opportunity Programs. ODEEO is responsible for planning and implementing the Department's Equal Employment Opportunity/Affirmative Employment (EEO/AE) activities pursuant to the HUD regulation at 24 CFR Part 7 and Federal Regulation at 29 CFR 1614. The activities of the ODEEO are carried out through the functions of three Divisions: the Equal Employment Opportunity Division, the Affirmative Employment Division, and the Alternative Dispute Resolution Division.

The staff is comprised of Equal Employment/Affirmative Employment/Alternative Dispute Resolution (EE/AE/ADR) Specialists in Headquarters, support personnel, and permanent full-time EEO Counselors in the Field and one in Headquarters. This staff is supplemented with collateral duty EEO Discrimination Complaint Managers, Affirmative Employment Program Managers and Diversity Managers located in the HUD Program Offices.

WORKLOAD

Equal Employment Opportunity Division

In accordance with regulations promulgated by the Equal Employment Opportunity Commission (EEOC) and the Department, the Equal Employment Opportunity Division performs a number of functions including complaint processing, counseling and managing the conduct of the investigation of discrimination complaints filed by HUD employees, former employees and applicants for employment. The Division provides training for EEO Counselors and Program Office Discrimination Complaint Managers and drafts final decisions for the Director of EEO including remedial orders and recommendations for disciplinary action. The Division also maintains the Department's Equal Employment Opportunity Tracking System and provides assistance to EEO Officers and Discrimination Complaint Managers (DCMs). It is anticipated that in the coming fiscal year, the Department will process approximately 275 EEO complaints.

Affirmative Employment Division

The Affirmative Employment Division (AED) is responsible for the management of the Department's Affirmative Programs of Equal Employment Opportunity (EEO) for all employees and applicants, including persons with disabilities. The Division monitors the Department's work force diversity and utilization; analyzes work force demographics and employment trends, and prepares and submits annual assessments and EEO Program status reports and plans, as required by the Equal Employment Opportunity Commission (EEOC) and the Office of Personnel Management (OPM). The AED is also responsible for: (1) developing and issuing Departmentwide policy, procedures, guidance and training on HUD's EEO programs, including the prevention of unlawful harassment, the provisions for providing reasonable accommodation, and disabled veteran employment; and (2) providing oversight, coordination, and funding of all Nationally recognized Special Emphasis Program observances.

Salaries and Expenses, Housing And Urban Development  
 Budget Activity 14: Departmental Equal Employment Opportunity

Alternative Dispute Resolution Division (ADR)

The Alternative Dispute Resolution (ADR) Division is responsible for resolving EEO discrimination complaints informally and early in the dispute. The ADR Program is established in accordance with The EEO Commission regulation published at 29 CFR 1614.102 (b)(2). The objectives of the program are to reduce the number of HUD EEO cases, reduce expenses incurred through the traditional administrative complaint process, reduce employees'/managers' time spent in litigation and away from the job, improve overall organizational ability to resolve conflict early in the dispute and at the lowest level possible, improve morale, and improve productivity and performance. The core principles of the ADR Program are voluntariness, neutrality, confidentiality, and enforceability.

TRAVEL

The table below identifies travel requirements unique to this activity.

	ACTUAL 2004	ENACTED 2005	ESTIMATE 2006	INCREASE + DECREASE - 2006 vs 2005
		(Dollars in Thousands)		
Travel .....	\$12	\$10	\$10	...
Total .....	12	10	10	...

The travel funding requested for fiscal year 2006 will enable the ODEEO to provide quality services in furtherance of its goal to maintain the Public Trust. It will enable staff to obtain regulatory required training and certification and allow attendance at annual conferences to keep abreast of the latest developments in procedures, laws and interpretations related to EEO. The Director of ODEEO will travel to Field Offices to meet with the Regional Directors and program office directors to provide technical assistance and guidance in support of the administration of the Department's EEO Program. EE Specialists will travel within their jurisdictions to monitor EEO complaint processing activities, monitor performance of contract investigations and ADR activities. Funding is required for travel to the Field to monitor and evaluate implementation of EEO/AE efforts as part of HUD's Management Plan. Implementation of the ADR Program requires ADR staff to travel to the Field for training and monitoring of the program. Finally, Affirmative Employment Division (AED) staff will be required to attend training conferences sponsored by EEOC, FPPI Solutions, OPM and HUD contractors to be fully briefed on the latest techniques for preparing Affirmative Employment Plans and methods of effecting Affirmative Employment and Managing Diversity. In order for the Diversity Program to be successful, it must be administered through the use of effective strategies for the development and management of qualified minorities, women and persons with disabilities.

Salaries and Expenses, Housing And Urban Development  
 Budget Activity 14: Departmental Equal Employment Opportunity

CONTRACTS

The table below identifies contract requirements unique to this activity.

	ACTUAL 2004	ENACTED 2005	ESTIMATE 2006	INCREASE + DECREASE - 2006 vs 2005
		(Dollars in Thousands)		
Technical Services.....	\$387	\$270	\$270	...
Total .....	387	270	270	...

Technical Services. Funding is requested in fiscal year 2006 for EEO contract investigations and for the continuation of the Department's Diversity Program. In addition to the contracting of investigations, funding is requested for contracting of the preparation of Final Decisions (FDs) and for ADR activities needed to reduce the backlog of EEO complaints. The EEOC has mandated in their latest regulations that all agencies have an ADR Program in place. Funding is included for the training of all managers, supervisors and staff on the use of HUD's ADR Program. It is the policy of the Department to use ADR in the settlement of all appropriate workplace disputes, consistent with ADR's core principles of neutrality, confidentiality, voluntariness and enforceability. Additionally, funding is needed for ODEEO to maintain and enhance its automated complaint and correspondence tracking system and to integrate applicant flow data to ensure compliance with the Uniform Employment Guidelines issued by the EEOC.

Salaries and Expenses, Housing And Urban Development  
Budget Activity 14: Departmental Equal Employment Opportunity

OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY  
Personal Services  
Summary of Change  
(Dollars in Thousands)

<u>Personal Services</u>	<u>FTE</u>	<u>S&amp;E Cost</u>
2004 Actual.....	25	\$2,351
2005 Appropriation.....	25	2,431
<u>Changes Due To</u>		
2006 January Pay Raise.....	0	43
2005 January Pay Raise.....	0	22
Staffing increase/decrease.....	1	68
Other benefit changes.....	0	13
2006 Request.....	26	\$2,577

Salaries and Expenses, Housing And Urban Development  
 Budget Activity 14: Departmental Equal Employment Opportunity

OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY  
 Summary of Requirements by Grade  
 Salaries and Expenses  
 (Dollars in Thousands)

	<u>2004 Actual</u>	<u>2005 Appropriation</u>	<u>2006 Request</u>	<u>Increase/ Decrease</u>
Grade:				
Executive Level	0	0	0	0
Executive Service	0	1	1	0
GS-15	4	6	6	0
GS-14	2	2	2	0
GS-13	12	12	13	+1
GS-12	1	0	0	0
GS-11	0	0	0	0
GS-10	1	1	1	0
GS-9	2	1	1	0
GS-8	2	1	1	0
GS-7	0	0	0	0
GS-6	1	1	1	0
GS-5	0	0	0	0
GS-4	0	0	0	0
GS-3	0	0	0	0
GS-2	0	0	0	0
GS-1	0	0	0	0
Total Positions	25	25	26	+1
Average ES Salary	\$0	\$126,357	\$128,884	+\$2,527
Average GS Salary	\$80,489	\$82,099	\$83,741	+\$1,642
Average GS Grade	12.3	12.8	12.8	0.0

Salaries and Expenses, Housing And Urban Development  
 Budget Activity 14: Departmental Equal Employment Opportunity

OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY  
 Summary of Requirements by Object Class  
 Salaries and Expenses  
 (Dollars in Thousands)

<u>Object Class</u>	<u>2004 Actual</u>	<u>2005 Appropriation</u>	<u>2006 Request</u>	<u>Increase/Decrease</u>
Personal Services.....	\$2,351	\$2,431	\$2,577	+\$146
Travel and Transportation of Persons.....	12	10	10	0
Transportation of Things.....	0	0	0	0
Rent, Communication & Utilities.....	0	0	0	0
Printing and Reproduction.....	0	0	0	0
Other Services.....	387	270	270	0
Supplies and Materials.....	7	6	6	0
Furniture & Equipment.....	0	0	0	0
Insurance Claims & Indemnities.....	3	1	1	0
Total Obligations.....	\$2,760	\$2,718	\$2,864	+\$146

**Overall Summary of Departmental Equal Employment Opportunity Staff Requirements**

	FTE			
	Estimate 2004	Estimate 2005	Estimate 2006	Increase + Decrease - 2006 vs 2005
Headquarters.....	24.9	25.0	25.7	+0.7
Field .....	0.0	0.0	0.0	0.0
<b>Total .....</b>	<b>24.9</b>	<b>25.0</b>	<b>25.7</b>	<b>+0.7</b>

**Summary of Departmental Equal Employment Opportunity Staff Requirements**

	Estimate 2004	Estimate 2005	Estimate 2006	Increase + Decrease - 2006 vs 2005
<b><u>Headquarters Employment</u></b>				
OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY	24.9	25.0	25.7	+0.7
<b>Total .....</b>	<b>24.9</b>	<b>25.0</b>	<b>25.7</b>	<b>+0.7</b>

**Detail of Departmental Equal Employment Opportunity Staff Requirements**

Workload Guideline	Workload Indicator	----- Fiscal Year 2004 -----			----- Fiscal Year 2005 -----			----- Fiscal Year 2006 -----				
		Projected Accomplish- ment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplish- ment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplish- ment	Projected Unit Cost (Hrs)	FTE
<b>Headquarters Employment</b>												
OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY												
Departmental Equal Employment Opportunity - Director's Office	NA			2.0	1.0			2.0	1.0			2.7
Administrative Support	NA			2.0				2.0				2.0
Alternative Dispute Resolution Program	#ADR cases processed during the month	38	223.00	4.0	3.0	35	224.00	3.8	3.0	32	224.00	3.4
Affirmative Employment Program	NA			3.0				4.0				4.0
EEO Counseling and Complaint Program	#EEO Complaints in process at the end of the month	245	119.00	13.9	12.0	232	119.00	13.2	8.0	237	119.00	13.6
<b>Subtotal</b>				<b>24.9</b>				<b>25.0</b>				<b>25.7</b>



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SALARIES AND EXPENSES, HOUSING AND URBAN DEVELOPMENT

BUDGET ACTIVITY #14: OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

HEADQUARTER EMPLOYMENT

EXPLANATION OF CHANGES FROM 2005 BUDGET ESTIMATE TO 2006 ESTIMATE

The Office of Departmental Equal Employment Opportunity (ODEEO) has requested staffing level of 26 FTEs for fiscal year 2006. This is an increase of .7 FTE from fiscal year 2005. This additional FTE will be for a Director of ODEEO.